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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: David J. Dedic) EXAMINER: Ismael Negron
SERIAL NO.: 10/755,733) ART UNIT: 2875
FILING DATE: January 12, 2004) DATE: October 11, 2005
FOR: Emergency Exit Path Lighting System with Hollow Doorframe for
Implementing Electroluminescent Technology

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action mailed September 23, 2005, and the restriction requirement made therein, applicants provisionally elect Group I, claims 1-12, 15 and 16, drawn to a frame with illumination, for continued examination herein.

Applicants traverse the restriction requirement on the grounds that 35 U.S.C. § 121 authorizes restriction only when the claimed invention is "independent and distinct" (emphasis added). A search of the subject matter of Group I, claims 1-12, 15 and 16 drawn to a frame with illumination would necessarily require a search of the subject matter of



Group II, claims 13 and 14, drawn to a doorframe. Thus the method delineated in Group II is not directed to an independent and distinct matter.

Respectfully submitted,

Robert Curcio
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Name: Barbara Browne Date: October 11, 2005 Signature:

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